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Counsel for Nyko Technologies, Inc.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)
CIRCUIT CITY STORES, INC., *et al.*) Chapter 11
Debtors.) Case No. 08-35653 - KRH
) Jointly Administered

**JOINDER OF NYKO TECHNOLOGIES, INC.
TO THE OBJECTION TO CONFIRMATION OF THE
DEBTORS' FIRST AMENDED JOINT PLAN OF LIQUIDATION
FILED BY SAMSUNG AMERICA ELECTRONICS, INC.**

Nyko Technologies, Inc. (“Nyko”), creditor and holder of an administrative expense claim in the above-captioned case, by counsel, hereby joins in the Samsung America Electronics, Inc.’s Objection to Confirmation of the Debtors’ First Amended Joint Plan of Liquidation (the “Objection”) as follows:

1. Nyko is a retail supplier located in Los Angeles, California which provides, among other things, accessories for video game systems and other retail merchandise to merchants including the Debtors.

2. Nyko sold retail merchandise to the Debtors within twenty (20) days before the date of commencement of the Debtors' Chapter 11 filing on November 10, 2008 (the "Petition

Date"). Specifically, on October 21, 2008, October 22, 2008, and November 5, 2008, Nyko sold retail merchandise to the Debtors for \$37,453.40. Nyko sent invoices to the Debtors for the merchandise, but the Debtors have not paid the invoices.

3. Nyko also continued to do business with the Debtors after the Petition Date. Specifically, after the Petition Date, Nyko sold retail merchandise to the Debtors for \$657,568.20, as reflected in invoices submitted by Nyko to the Debtors. The entire balance of the invoices submitted by Nyko to the Debtors remains unpaid.

4. The amounts invoiced by Nyko to the Debtors were for goods sold to the Debtors and constitute actual, necessary costs and expenses of preserving the Debtors' bankruptcy estates and are unsecured debts incurred by the Debtors in the ordinary course of business.

5. The Debtors filed numerous objections, in which the Debtors allege that they have a Preference claim against Nyko in the amount of \$277,896.00.

6. On September 29, 2009, the Debtors filed the First Amended Joint Plan of Liquidation of Circuit City Stores, Inc. and Its Affiliated Debtors and Debtors in Possession and Its Official Committee of Creditors Holding General Unsecured Claims (the "Plan").

7. Nyko adopts the grounds and authorities set forth in the Objection of Samsung as Nyko's objection to the Plan.

8. Additionally, Nyko reserves the right to rely on the arguments and authorities contained in the objections of other creditors filed in response to the Plan.

NYKO TECHNOLOGIES, INC.

/s/ *W. Alexander Burnett*

By: _____
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing Joinder of SouthPeak Interactive, LLC was filed and served this 16th day of November, 2009, electronically using the Court's ECF System, was sent by electronic mail to circuitcityservice@mcguirewoods.com and project.circuitcity@skadden.com, and was sent by first class mail, postage prepaid, to the entities at the addresses indicated below:

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/s/ *W. Alexander Burnett*
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